

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-13 are pending. Independent claims 1, 9, 10, and 11 are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

### **II. SUPPORT FOR CLAIM AMENDMENTS**

Exemplary support for the amendments made herein can be found throughout Applicants' patent application, as originally filed. For example, according to *paragraphs [0087] and [0125]* of Applicants' published application:

**[0087]** The electronic mark text data is text data having described therein the feature or essence of a video scene. It is metadata associated (linked) with the aforementioned attribute mark data. For example, the features of a video scene such as "highlight", "OK", "NG" and the like and information including a location of imaging such as "Tokyo" or "Japan" are described by text data in the electronic mark text data.

**[0125]** The mark setting block generates electronic mark text data and attribute mark data in response to time code data synchronous with a frame of video content data recorded in the recording medium 14 and an input from the marker button 50 or microphone sound-converter 79. It should be noted that the time code data will be described in detail later.

### III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-13 were rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2001/0031131 to Fukai et al. (hereinafter, merely "*Fukai*") in view U.K. Patent Application GB 2361097 to Foster et al. (hereinafter, merely "*Foster*").

### IV. RESPONSE TO REJECTIONS

Applicants respectfully traverse these rejections for at least the following reasons:

Claim 1, as herein amended, recites, *inter alia*:

A video content editing support system comprising:

a recorder to describe electronic mark data related to video content data in the video content data;

...

wherein the electronic mark data includes attribute mark data and the electronic mark text data, **wherein the electronic mark text data is associated with the attribute mark data, ... wherein the attribute mark data and the electronic mark text data are generated in response to:**

(i) **time code data synchronous with a frame of the video content**

**data; and**

(ii) **an input from a marker button or a microphone sound-converctor.** (Emphasis added)

As indicated from page 6 of the Office Action, the Examiner has failed to establish a prima facie finding that either *Fukai* or *Foster*, taken alone or in combination, disclose or render predictable "attribute mark data and the electronic mark text data" wherein "the electronic mark text data is associated with the attribute mark data." Particularly, the Examiner asserts that "*the claims as written do not explicitly define how the attribute mark data*

*and the electronic mark text data are linked and stored.”* In light of the clarifying amendment to claim 1 and Applicants’ support in the specification<sup>1</sup>, Applicants respectfully submit that the above-recited feature is clear and directed to patentable subject matter.

Moreover, neither *Fukai* nor *Foster*, taken alone or in combination, disclose or render predictable:

- “[An] attribute mark data and the electronic mark text data [that] are generated in response to [:]”
  - “time code data synchronous with a frame of the video content data;” *and*
  - “an input from a marker button or a microphone sound-convertor [.]” as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable. For reasons similar to those described above with regard to independent claim 1, independent claims 9-11 are also patentable.

## V. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

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<sup>1</sup> See paragraph [0087] of Applicants’ published application, which is herein recited under heading II of this response.

**CONCLUSION**

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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